

MISSOURI SUNSHINE LAW

The Sunshine Law is a commitment by the state of Missouri that meetings, records, votes, actions and deliberations of public governmental bodies be open to the public unless otherwise provided by law. Public meetings, including meetings conducted by telephone or other electronic means, are to be held at reasonably convenient times and must be accessible to the public. Meetings should be held in facilities that are accessible to persons with disabilities.

Copies of a booklet entitled; “The Missouri Sunshine Law” are available from the Missouri Attorney General’s office, P.O. Box 899, Jefferson City, MO 65102; Phone: 573-751-3321 or

<http://www.ago.state.mo.us>

This booklet explains the requirements of the Sunshine Law, as well as showing Attorney General’s Opinions and Appellate court decisions interpreting the Law.

For some non-profit organizations operating in Missouri, the Missouri Sunshine Law might not be pertinent. You should closely examine the definition of governmental bodies included in 610.010 (definitions) page. 34/35 of the Missouri Sunshine Law booklet.

The key definition to be considered by most non-profits will be whether they fit the definition of “quasi-public governmental body.” (see p. 35)

“The term quasi-public governmental body means any person, corporation, or partnership organized or authorized to do business in this state pursuant to the provisions of chapter 352, 353, or 355 RSMo, or unincorporated association which either:

- a. Has as its primary purpose to enter into contracts with public governmental bodies, or to engage primarily in activities carried out pursuant to an agreement or agreements with public governmental bodies; or
- b. Performs a public function as evidenced by a statutorily based capacity to confer or otherwise advance, through approval, recommendation or other means, the allocation or issuance of tax credits, tax abatement, public debt, tax-exempt debt, rights of eminent domain, or the contracting of leaseback agreements on structures whose annualized payments commit public tax revenues; or any association that directly accepts the appropriation of money from a public governmental body, but only to the extent that a meeting, record, or vote relates to such appropriation;”

Reading through the interpretations of the law shown on pages 19 – 25 of the Missouri Sunshine Law booklet might give you a better feel for whether your organization will need to adhere to these guidelines. Even if you determine that your non-profit doesn’t need to operate under the provisions of the Missouri Sunshine Law, you might still want to review the booklet to get some ideas on operating guidelines that might be beneficial for your non-profit to follow.

The American Society of Association Executives suggests the following;

- public scrutiny comes with the territory;
- appearances are everything – if something doesn’t look appropriate, it probably isn’t.

Those non-profits that attempt to be inclusive and include diverse populations (including the clients they serve) as part of their decision-making process are less likely to be challenged about those decisions later in the process.



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